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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 vs.
14 STEVEN GRIMM, *et al.*,
15 Defendants.
16

2:08-cr-00064-RLH-GWF

**UNOPPOSED MOTION FOR
ADDITIONAL TIME TO REPLY TO
THE GOVERNMENT'S RESPONSE TO
DEFENDANT GRIMM'S MOTION FOR
NEW TRIAL BASED ON NEWLY
DISCOVERED EVIDENCE**

17 **Certification:** This Motion is timely filed

18 Steven Grimm, by and through his counsel of record, Alina M. Shell, Assistant
19 Federal Public Defender, and Eve Mazzarella by and through her counsel of record, Mark
20 Allenbaugh, move this Court for additional time to Reply to the Government's Response to
21 Defendant's Motion for New Trial.

22 DATED this 5th day of July, 2013.
23

24 /s/ Alina M. Shell
ALINA M. SHELL
25 Assistant Federal Public Defender
Counsel for Defendant Grimm
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/s/ Mark Allenbaugh
MARK ALLENBAUGH
27 Counsel for Defendant Mazzarella
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 On May 22, 2013 Defendant Grimm filed a Motion for New Trial Based on Newly
3 Discovered Evidence (*Brady* Material) and for Discovery (CR 525). On May 25, 2013 Defendant
4 Mazzarella also filed a Motion for New Trial Based on Newly Discovered Evidence (*Brady*
5 Material) and for Discovery (CR 528).

6 On June 4, 2013 the Government filed a Motion to Extend Time to Respond (CR
7 529). On June 5, 2013 the Court granted the extension to July 5, 2013 (CR 530). On July 2, 2013
8 the Government filed its Response to Defendant Grimm's Motion for New Trial Based on Newly
9 Discovered Evidence (*Brady* Material) and for Discovery (CR 533). The Defendant's Reply to the
10 Response is due on July 8, 2013.

11 Counsel for Grimm has Oral Argument in front of the Ninth Circuit on July 10, 2013,
12 for which she has been diligently preparing. She also is scheduled to travel to Northern California
13 on July 15, 2013, to meet with a client at FCI Mendota. Due to these facts, counsel requires
14 additional time to review the Government's Response, and to prepare and file a Reply.

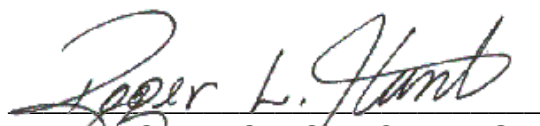
15 Therefore, counsel requests an extension until July 22, 2013 to file it's Reply.

16 DATED this 5th day of July, 2013.

17 RENE L. VALLADARES
18 Federal Public Defender

19 /s/ Alina M. Shell
20 By _____
21 ALINA M. SHELL,
22 Assistant Federal Public Defender

23 IT IS SO ORDERED.

24 
25 _____
26 UNITED STATES DISTRICT JUDGE

27 DATED: July 8, 2013
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Law offices of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on July 5, 2013, she served an electronic copy of the above and foregoing **UNOPPOSED MOTION TO EXTEND TIME TO REPLY TO GOVERNMENT’S RESPONSE TO DEFENDANT GRIMM’S MOTION FOR NEW TRIAL BASED ON NEWLY DISCOVERED EVIDENCE (*BRADY* MATERIAL) AND FOR DISCOVERY (Evidentiary Hearing Requested)** by electronic service (ECF) to the person named below:

DANIEL BOGDEN
United States Attorney
333 Las Vegas Blvd. South, # 5000
Las Vegas, Nevada 89101

/s/ Karen Brokaw
Employee of the Federal Public Defender